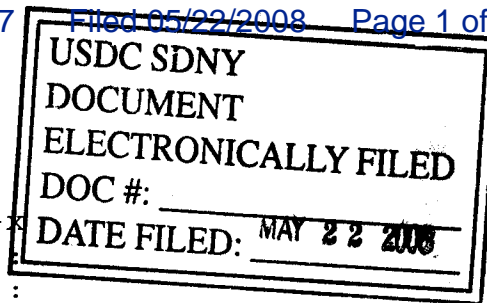


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

JOSE EMENEGILDO MEJIA-VOLQUEZ,
a/k/a, "Mejias Giovanni,"

Defendant.

SUPERCEDING
INFORMATION

S4 07 Cr. 753 (AKH)

COUNT ONE

The United States Attorney charges:

1. From at least in or about June 2007 up to and including on or about July 12, 2007, in the Southern District of New York and elsewhere, JOSE EMENEGILDO MEJIA-VOLQUEZ, a/k/a, "Mejias Giovanni," the defendant, and others known and unknown, unlawfully intentionally, and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JOSE EMENEGILDO MEJIA-VOLQUEZ, a/k/a, "Mejias Giovanni," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly would and did distribute, and possess with intent to distribute, a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812,

841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

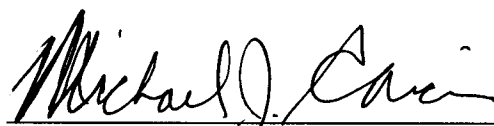
3. As a result of committing the controlled substance offense alleged in Count One of this Information, JOSE EMENEGILDO MEJIA-VOLQUEZ, a/k/a, "Mejias Giovanni," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

Substitute Asset Provision

4. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value;
or
- e. has been commingled with other property which

cannot be subdivided without difficulty;
it is the intention of the United States, pursuant to 21 U.S.C. §
853(p), to seek forfeiture of any other property of the defendant
up to the value of the above forfeitable property.
(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)

A handwritten signature in black ink, appearing to read "Michael J. Garcia", is written over a horizontal line.

MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSE EMENEGILDO MEJIA-VOLQUEZ,
a/k/a, "Mejias Giovanni,"

Defendant.

INDICTMENT

S4 07 Cr. 753 (AKH)

(21 U.S.C. § 846)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Foreperson.

Information and waiver of indictment filed.
by [unclear] on [unclear] S4 07 Cr 753,
by [unclear] w/Atty. Nisha Pando, 10511 Julian Place, #102,
Coral Gables, FL 33156, Interpreter Mark Luens
and [unclear] enters a plea of guilty to information
number 3. Sentencing/commit date set for 9/12/08
at 10:00 AM. Deft could be removed.

He Weisthal, J